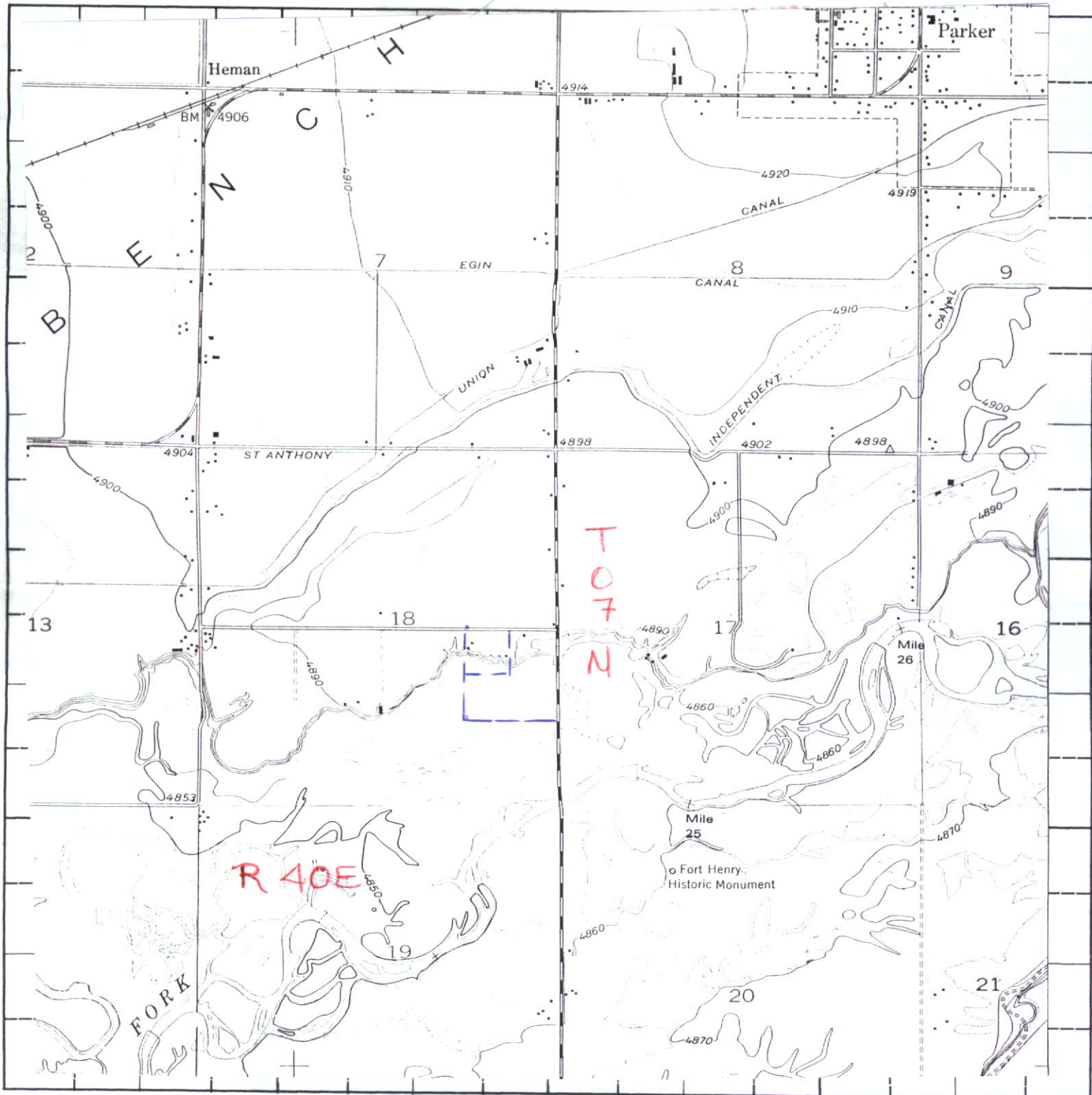


T 7 N R 40 E

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

AUG 02 1989

Richard D. Heminger
(Applicant)

St. Anthony, Idaho
Ashton, Idaho

RECEIVED

APR 3 1989

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of FremontDepartment of Water Resources
Eastern District Office

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the Notice Of Application
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for Two consecutive issues, the
first publication having been made on
March 16, 1989
and the last publication having been
made on March 23, 1989

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 24th day of March
in the year of 1989, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Stephen L. Gault
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

21-07402
HENINGER, RICHARD D.
RT. 2, BOX 147A
ST. ANTHONY, ID 83445
Source: GROUNDWATER
Diversions Pt: NWNESE Sec 18 T 07N R

40E
Use: IRRIGATION (.030 CFS)
DOMESTIC (.040 CFS)
Date Filed: 2/14/1989
In: T07N R40E S18 NESE 1.0 ACRES
TOTAL

21-07404
PEARSON, ROBERT L.
1331 E. 65th S.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversions Pt: NWNW Sec 24 T 15N R

42E
Use: DOMESTIC (.040 CFS)
STOCKWATER (.030 CFS)
Date Filed: 3/01/1989
In: T15N R42E S24 NWNW

21-07407
CHRISTENSEN, LARRY
732 TERRACE
IDAHO FALLS, ID 83402
Source: SPRINGS
Tributary: BLUE CREEK
Diversions Pt: LOT 4 (SENWNW) Sec 2
T 10N R 41E
Use: DOMESTIC (.020 CFS)
Date Filed: 3/01/1989
In: T10N R41E S02 NWNW

21-07408
JONES, FLOYD G.
195 E. 25th
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversions Pt: NENWNE Sec 2 T 14N R

43E
Use: DOMESTIC (.100 CFS)
Date Filed: 3/02/1989
In: T14N R43E S02 NWNW

31-07414
QUALITY FARMS INC.
RT. 3, BOX 433-8
REXBURG, ID. 83440
Source: GROUNDWATER
Diversions Pt: NWSE Sec 30 T 08N R

37E
Use: IRRIGATION (2.000 CFS)
Date Filed: 1/16/1984
In: T08N R37E S30 NESW SESW
NWSE SWSE 100.0 ACRES TOTAL

The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before APRIL 3, 1989.

R. KEITH HIGGINSON
Director

AUG 02 1989 Publ. March 16 and 23, 1989HC.

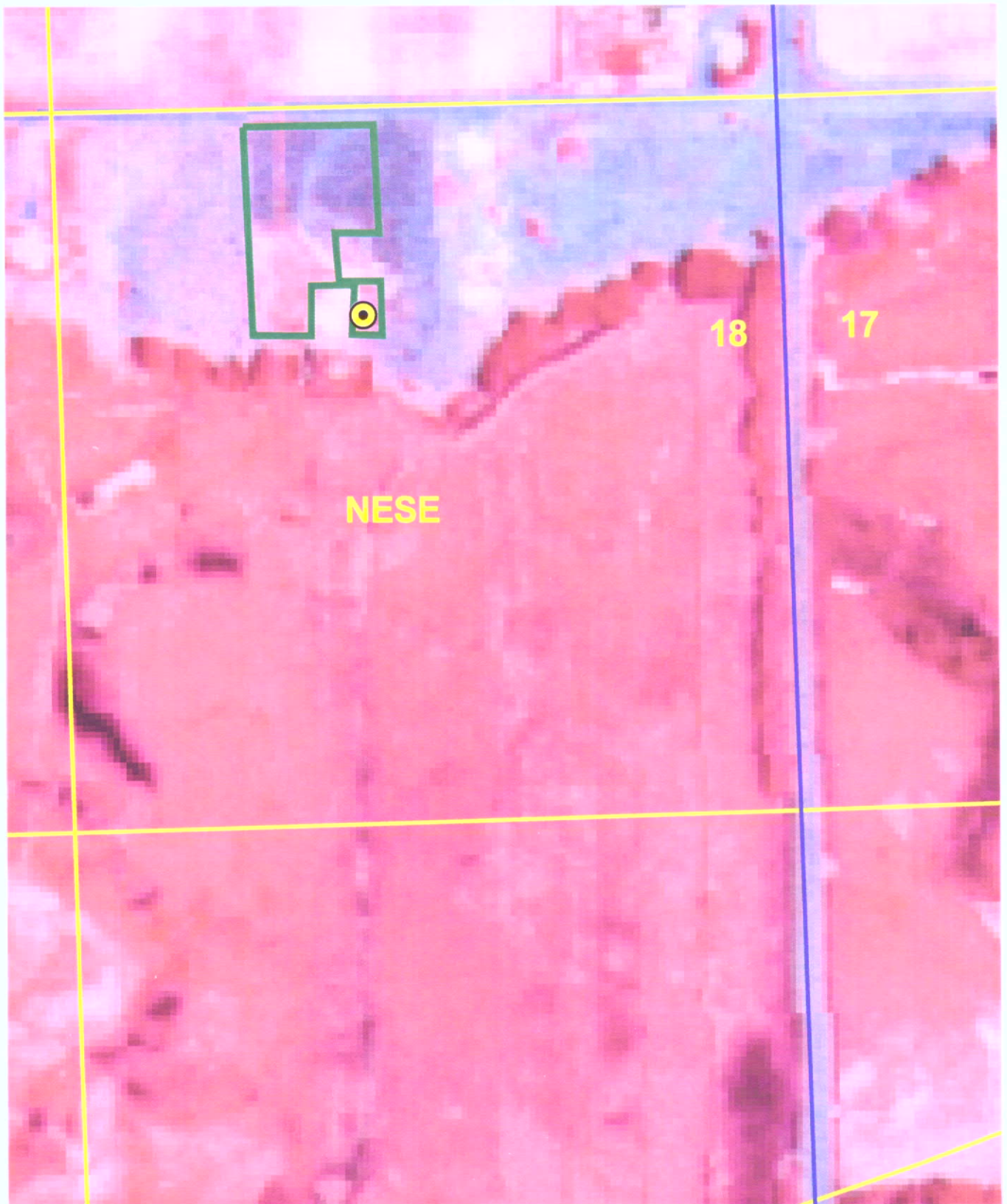
MICROFILM



DC-2002 21-7402 rock/Lawn

MICROFILMED
MAR 26 2003

21-7402



T7N, R40E sec 18

RECORDED
2003 2 6



71-7402 - POW Acreage

MICROFILMED

MAR 25 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

MAR - 7 2003

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
21-07402					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Richard D. Heninger
Utah
4. New Owner/Claimant(s) David O. Woods OR JAYNA C. Woods
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 1882 E 350 N
- City, State and ZIP Code St. Anthony Idaho 83445
- New Telephone Number (208) 624-4598
5. Date you acquired the property JAN. 1994

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JUN 9 2 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)
- David O. Woods*
Janna C. Woods

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <i>J. M. [Signature]</i>	Date <i>3-7-03</i>	Fee <i>\$25.00</i>
Received by <i>J. M. [Signature]</i>	Date <i>3-7-03</i>	Receipt No. <i>0067791</i>
Processed by _____	AJ Date _____	WR _____ Date _____

MICROFILMED
JUN 9 2 2003

WARRANTY DEED

For Value Received **Richard D. Heninger and Sheral Tanner Heninger, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

David O. Woods and Janna C. Woods, husband and wife

whose address is: **1882 East 350 North, St. Anthony, ID, 83445**

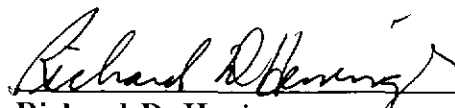
Hereinafter called the Grantee, the following described premises situated in Fremont County, Idaho, to-wit:

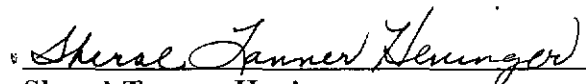
Commencing at a point that is North 89°34' West 700.0 feet from the East Quarter corner of Section 18, Township 7 North, Range 40 East, Boise Meridian, Fremont County, Idaho, and running thence South 520.0 feet; thence North 89°34' West 262.0 feet; thence North 520.0 feet; thence South 89°34' East 262.0 feet, more or less, to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: **January 27, 1994**


Richard D. Heninger


Sheral Tanner Heninger

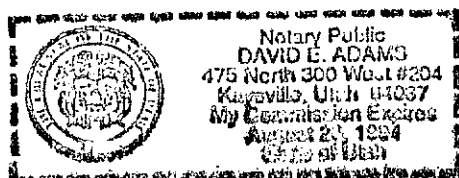
MICROFILMED

STATE OF) UTAH
COUNTY OF) DAVIS : SS

JUN 12 2003

On This 31ST day of January, in the year 1994, before me, a Notary Public in and for said State, personally appeared Richard D. Heninger and Sheral Tanner Heninger, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.


Notary Public of
Residing at:
Commission Expires:



Microfilm No. 430075
Day 2 1994
At 16:50 O'clock P.M.
MICKIE FUNKE
FREMONT CO. RECORDER
Fee \$ 3. Deputy
Recorded At Request of
First American Title Company

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 21-07402

Priority: February 14, 1989

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 4.7 AF

It is hereby certified that RICHARD D HENINGER
1882 E 350 N
ST ANTHONY ID 83445 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated February 14, 1989; and has
submitted Proof of Beneficial Use on May 09, 1990. An examination indicates that the works have a
diversion capacity of 0.04 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
IRRIGATION	04/01 to 10/31	0.03 CFS	3.5 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 18, Twp 07N, Rge 40E, B.M., FREMONT County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N 40E 18													X				

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07N 40E 18													1.0				1.0

Total Acres: 1

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home.
2. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26th day of March, 2003.


for KARL J. DREHER
Director

MICROFILMED
MAR 26 2003

08/89

RECEIVED

MAY 09 1990

For Office Use Only

Amt. of Fee \$

Date

Receipt No.

Received by

MS-5-3190

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 21-07402Telephone No. 624-7473Name(s) of Permit Holder(s): RICHARD D HENINGERPost Office Address: Rt 2 Box 147 ASource of Water: 100 ft 6" well located on property.If ground water, well driller's name: not known Date drilled: Sept/Oct 1971

Extent of Use:

Domestic 1 (No. of households)Irrigation 3 (No. of acres)Stockwater 0 (No. and type of stock)

Other

6" well with 1/2 Horsepower submersible pump - residence - garden & lawn.Total rate and/or volume for which proof is submitted single family - domestic use - no crops - cfs -4 acre/feetShow date water was first diverted and beneficially used under this permit: Nov. 1971 when house was completed and residence was occupied.

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes No Installed? Yes No

OR

Flow Measurement Port: Required? Yes No Installed? Yes No

Fee Enclosed: \$ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Name RICHARD D HENINGER Telephone No. 208 624 7473Address Rt. 2 Box 147A ST. Anthony IDAHO 83445**MICROFILMED**

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

JUN 18 1990

Date 5-4-90Signature (and title if on behalf of a company or organization) Richard D Heninger

Form 202
6/85

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. _____

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Richard D Henninger Phone 208 624 7473
Post office address At 2 Box 147A St. Anthony, ID 83445
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 18 Township 7N Range 40E B.M. Front County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.33 cfs for irrigation purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.04 cfs for domestic purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.07 cubic feet per second and/or (b) _____ acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. well pump mainline to single domestic home & sprinklers
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet; period of year when water will be diverted to storage: _____ to _____ inclusive.
 - c. Proposed well diameter is 6" inches; proposed depth of well is 100' feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? No
7. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years (minimum 1 year).

MICROFILMED

AUG 02 1989

RECEIVED

applicant to make this filing.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the

b. Who owns the land to be irrigated or place of use?

11. a. Who owns the property at the point of diversion?

10. Describe any other water rights used for the same purposes as described above.

Total number of acres to be irrigated.

[illegible]

ponding place of use below. See instructions for standard symbols.

b. If water is used for other purposes, place a symbol of the use (example: *D for Domestic*) in the corresponding column.

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

9. Description of place of use:

e. Other; describe fully.

d. Domestic; show number of households.

c. Municipal; show name of municipality:

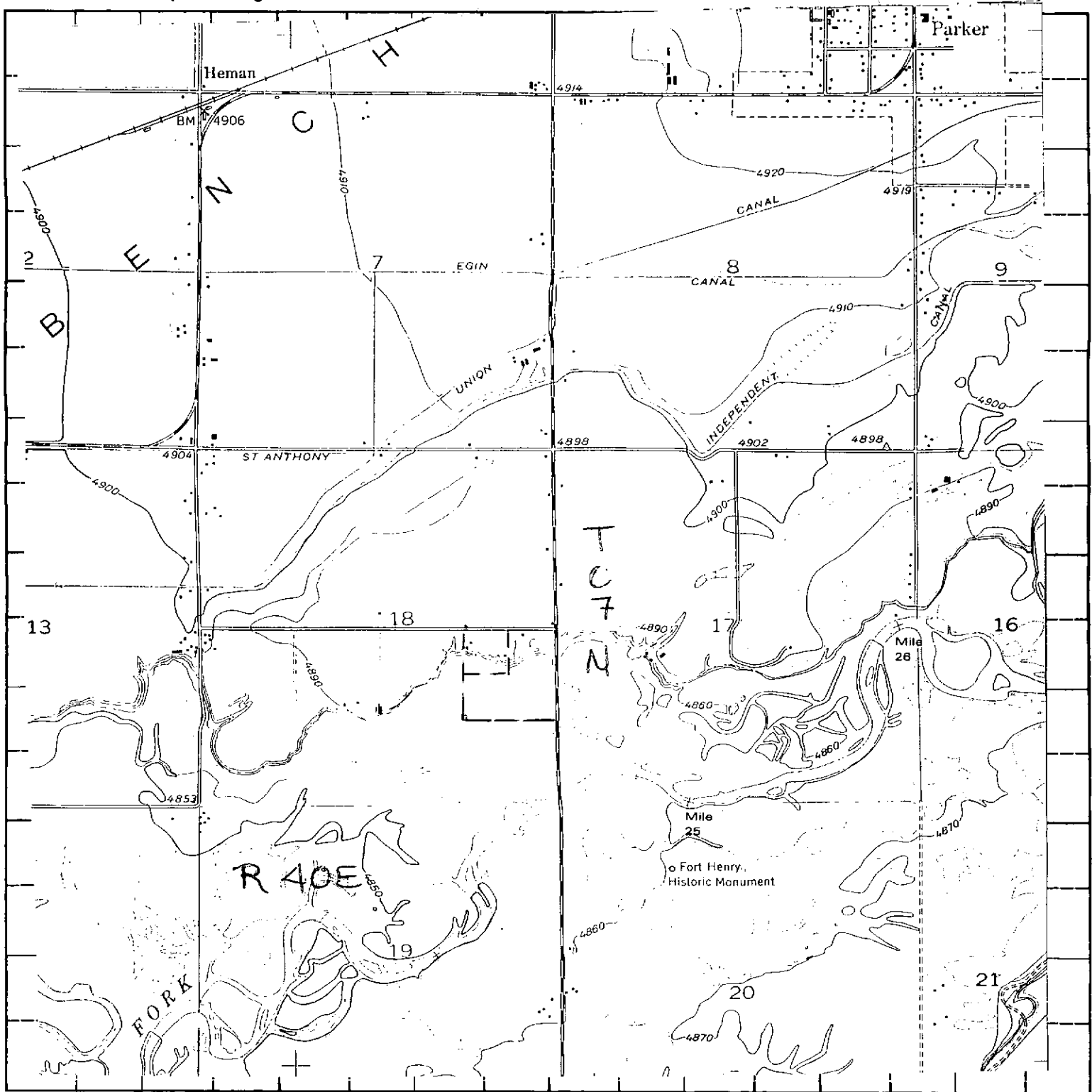
b. Stockwatering; list number and kind of livestock.

a. Hydropower; show total feet of head and proposed capacity in kW.

8. Description of proposed uses (if irrigation only, go to item 9):

T 7 N R 40 E

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

AUG 02 1989

Richard D. Henning
(Applicant)

Proposed Priority 2/14/89

Received by (u)

Date 3-14-89

Time 11:40

Preliminary check by CM

Fee \$ 30.00

Received by HLN

E005767

Date 2-14-89

Published in *Derald Chronicle*

Date 3-7-89

Publication prepared by (u)

Date 4-04-89

Publication approved (u)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of

Idaho No. 21-7402

, and said application is hereby

APPROVED

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before

June 1, 19 90.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code. Irrigation use under this permit is authorized only in connection with a domestic use.

Witness my hand this

23rd day of May

, 1989.

J. Allen Taylor

MICROFILMED

AUG 02 1989

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

Department of Water Resources
Eastern District Office

I, Terry Weatherston
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the Notice Of Application
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for Two consecutive issues, the
first publication having been made on
March 16, 1989
and the last publication having been
made on March 23, 1989

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 24th day of March
in the year of 1989, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Joseph C. Paul
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

NOTICE OF APPLICATION
FOR WATER RIGHT

The Following application(s) have been
filed to appropriate the public waters of
the State of Idaho:

21-07402
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ST. ANTHONY, ID 83445
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40E
Use: IRRIGATION (.030 CFS)
DOMESTIC (.040 CFS)
Date Filed: 2/14/1989
In: T07N R40E S18 NESE 1.0 ACRES
TOTAL

21-07404
PEARSON, ROBERT L.
1331 E. 65th S.
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversions Pt: NWNW Sec 24 T 15N R
42E
Use: DOMESTIC (.040 CFS)
STOCKWATER (.030 CFS)
Date Filed: 3/01/1989
In: T15N R42E S24 NWNW

21-07407
CHRISTENSEN, LARRY
732 TERRACE
IDAHO FALLS, ID 83402
Source: SPRINGS
Tributary: BLUE CREEK
Diversions Pt: LOT 4 (SENWNW) Sec 2
T 10N R 41E
Use: DOMESTIC (.020 CFS)
Date Filed: 3/01/1989
In: T10N R41E S02 NWNW

21-07408
JONES, FLOYD G.
195 E. 25th
IDAHO FALLS, ID 83404
Source: GROUNDWATER
Diversions Pt: NENWNE Sec 2 T 14N R
43E
Use: DOMESTIC (.100 CFS)
Date Filed: 3/02/1989
In: T14N R43E S02 NWNW

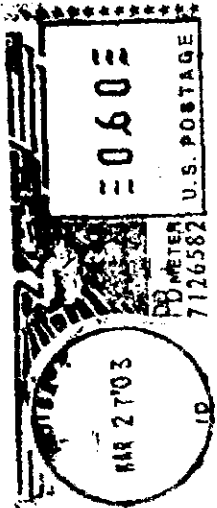
31-07414
QUALITY FARMS INC.
RT. 3, BOX 433-8
REXBURG, ID. 83440
Source: GROUNDWATER
Diversions Pt: NWSE Sec 30 T 08N R

37E
Use: IRRIGATION (2.000 CFS)
Date Filed: 1/16/1984
In: T08N R37E S30 NESW SESW
NWSE SWSE 100.0 ACRES TOTAL
The permit(s) will be subject to all prior
water rights. Protests may be submitted
based on the criteria of Sec. 42-203A,
Idaho Code and/or the new public interest
criteria of Sec. 42-203C, Idaho Code. Pro-
tests must be filed with the Director, Dept.
of Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on or
before APRIL 3, 1989.

R. KEITH HIGGINSON
Director

AUG 02 1989 Publ. March 16 and 23, 1989HC.

MICROFILMED



WR #21-7402

IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard St.
P.O. Box 83720
Boise, ID 83720-0098
(208) 327-7900

TO RICHARD D HENINGER
~~1882 E 350 N~~
~~ST ANTHONY ID 83445~~

POX

RECEIVED
APR 10 2003
Department of Water Resources

MICROFILMED
SEP 8 3 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 8, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DAVID O WOODS
JANNA C WOODS
1882 E 350 N
ST ANTHONY ID 83445

RE: Change of Ownership for Water Right 21-7402

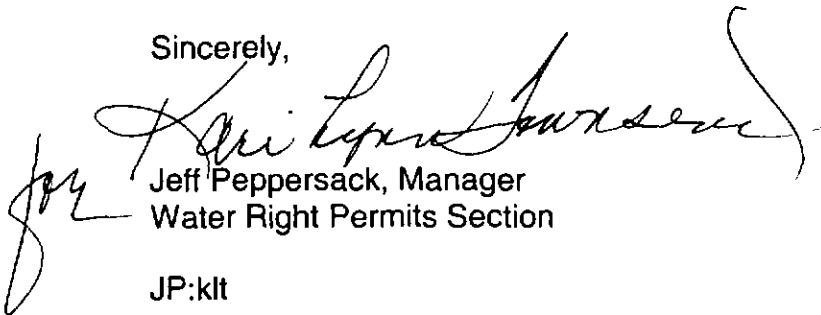
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the \$25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

JUN 6 2 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 26, 2003

RICHARD D HENINGER
1882 E 350 N
ST ANTHONY ID 83445

RE: License No. 21-7402 - Issuance of License

Dear Water Right Holder(s):

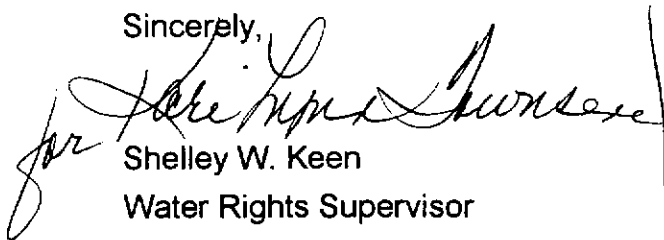
The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

MAR 26 2003

CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO.

21-7402

**RICHARD D HENINGER
1882 E 350 N
ST ANTHONY ID 83445**


**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 26 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Permit No. 21-7402 Date: 3-25-03 Reviewer: Kay Walker

Name/Address

Source

Point of Diversion:

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use

Change (P41/P49)	Add (P41/P44)	Feds (P43)
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
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94	94	94
95	95	95
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98	98	98
99	99	99
100	100	100

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): None
File reviewed _____ Profile reports printed _____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate	<u>0.07</u>	cfs
Fee Limit	<u>0.04</u>	cfs
Measured	<u>0.04</u>	cfs
Theoretical		cfs

Recommended Total Diversion Rate 0.04

Water Uses

✓ Change (P46)

Season of Use per new Standards

Irrigation	0.03	cfs	3.5	af
Stockwater		cfs		af
Domestic	0.04	cfs	1.2	af
		cfs		af
		cfs		af
Total	0.04	cfs	4.7	af

- Irrigation - overlap(R58-R61, R62-R65, R66-R69)
- supp. Gw (WB7/065/104)
- overlap spec combined rts (W35)
- <1 acre (W31)
- Domestic (W01/wb5/070/071/075)
- Power (W42 or W43/025/027/R22 or R23
- Fish (042)
- Fire (077)
- Water Quality (106/R07)
- Payette - (W22/047/27A)
- Stockwater for US (R37)

Volume Determination

Volume Determination
 $0.03 \text{ cfs} \times 1.9835 \times 214 \text{ days} = 12.7 \text{ af}$ (vs) $1 \text{ acres} \times 3.5 \text{ (FHR)} = 3.5 \text{ af}$

Remarks:

Additional Conditions _____ Watermaster Control
 _____ GW Measurement/Measuring Device
 _____ Other
 Trust R55 – remove 051)
 Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA? _____
Government Lots? _____

Advance Priority? yes If yes, explain why below.
no

SRBA Claim?

Adjust memo

Amend Letters	P87, S06	Second Amendment Notice	S06
----------------------	-----------------	--------------------------------	------------



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 18, 2003

DAVID WOODS
1882 E 350 N
ST ANTHONY ID 83445

RE: PERMIT NO. 21-07402

Dear Water User:

The Department of Water Resources is reviewing the above referenced permit prior to issuing a water right license. By issuing a license, the Department confirms that a water right has been established in compliance with the terms of the permit. We have been advised that you are now the owner of the property under this water right permit.

This permit is still in the name of Richard D. Heninger and we need to have an assignment of this permit from him, to you, in order to change the name. In Idaho a permit is considered personal property and in order for us to change our records we require an "Assignment of Permit" form along with a \$25.00 filing fee. Please submit the completed assignment form and filing fee within the next 30 days.

If you cannot locate Mr. Heninger to sign the form, please complete the enclosed "Notice of Change of Water Right Ownership" form and return it to our office, with a copy of the deed showing the property now belongs to you, and the \$25.00 filing fee within the next 30 days.

If you have any questions in regard to this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

MICROFILMED

MAR 26 2003

*no response -
license to
Heninger
KW
3/25/03*

RECEIVED

JAN 27 2003

Permit No: 21-7402

Page 1
Department of Water ResourcesSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 21-7402

Exam Date: 10/2002

1. Current Owner: RICHARD D HENINGER]- NOT AVAILABLE
1882 E 350 N
ST ANTHONY ID 83445
(208)624-7473

2. Accompanied by: NONE

Phone No:

Address:

Relationship to Permit Holder:

current owner: David Woods
624-4598 cell 709-7123
1882E 350N
ST ANTHONY, ID 834453. SOURCETRIBUTARY

GROUND WATER

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE
-
2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER

NW1/4NE1/4SE1/4

Sec. 18, Twp 07N, Rge 40E, B.M.

FREMONT County

Method of Determination:

FE/GPS/GIS

2.

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 40E 18													X				

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07N 40E 18													1.0				1.0

Total Acres: 1

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JAN 25 2003

Method of Determination:

3. Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.
- X Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.
- X Aerial Photo Attached (required for irrigation of 10+ acres).
- X Photo of Diversion and System Attached

4.

<u>Well or Diversion ID No.*</u>	<u>Motor Make</u>	<u>Hp</u>	<u>Motor Serial No.</u>	<u>Pump Make</u>	<u>Pump Serial No. or Discharge Size</u>
		1hp	submersible		

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

<u>Measurement Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>

2. Measurements:

$$4 \text{ birds} \times 5 \text{ gal/min} = \underline{20 \text{ gal/min}} = 0.04 \text{ cfs}$$

E. FLOW CALCULATIONS Additional Computation Sheets Attached

Measured Method:

MICROFILM
MAR 26 2003

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 1 \times 3.5 = 3.5 \text{ AF/A}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 = 12.7$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 3.5 \text{ AF/A}$$

2. Volume Calculations for Other Uses:

Domestic one home and lawn = 1.2 AF/A

G. NARRATIVE/REMARKS/COMMENTS

well/pump to home and lawn and irrigation of one acre garden
address of this property is 1882 E 350 N st anthony

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
IRRIGATION	04/01 to 10/31	0.030 CFS	3.50 AF
<u>Totals:</u>		0.040 CFS	4.70 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name DAVE CARLSON Date 11/5/2002

Reviewer [Signature] Date 1-23-03

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MAR 26 2003



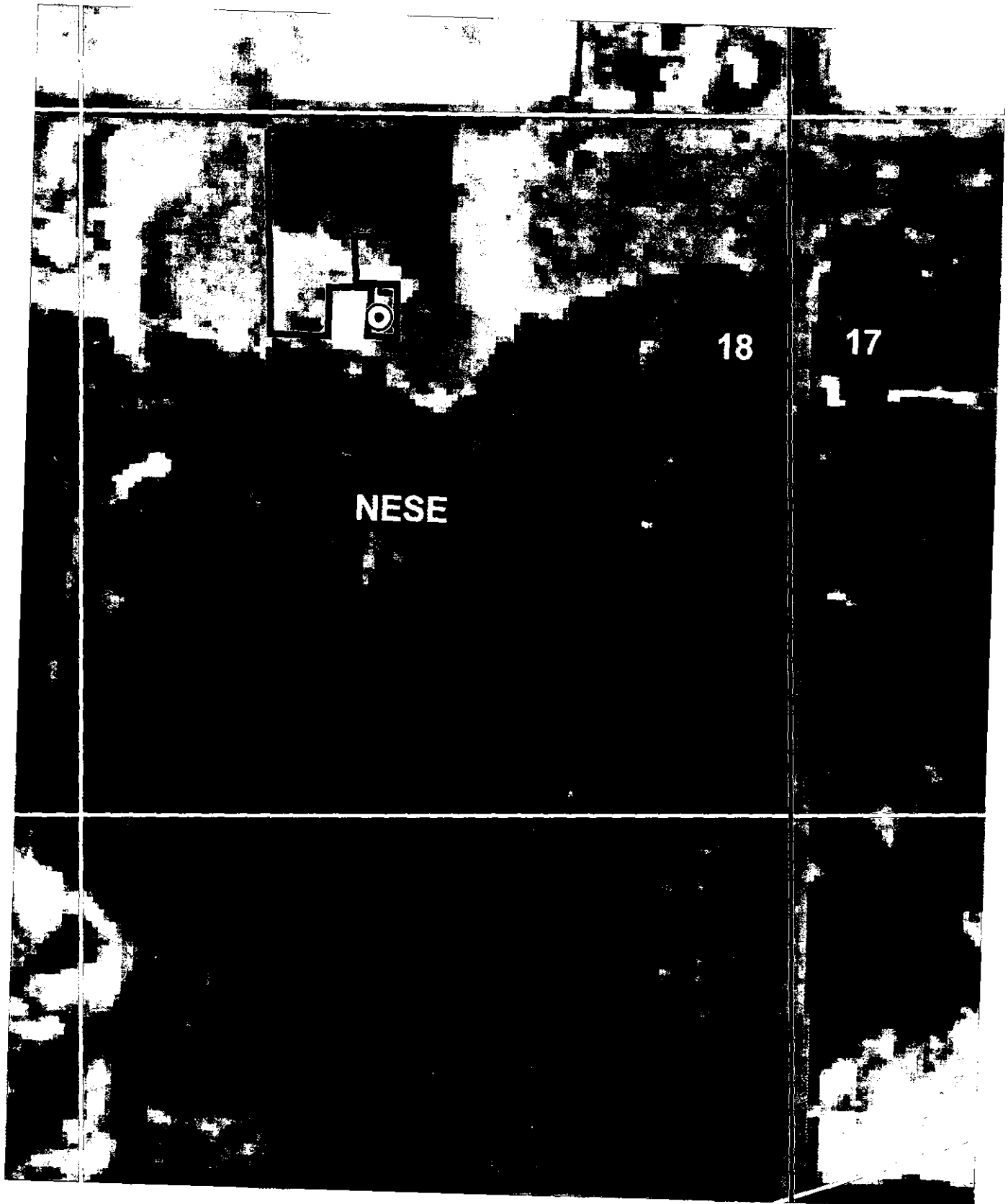
DC-2002

21-7402 rock/Lawn

MICROFILMED

MAR 26 2007

21-7402



T7N, R40E sec 18

NOT RECORDED
10 20 2003



71-7402 - POW acreage

MICROFILMED

MAR 26 2001

June 4, 1990

RICHARD D. HENINGER
RT. 2 BOX 147A
ST. ANTHONY, ID 83445

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 21-07402

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

RECEIVED

JUN 18 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 21-7402

Date: 5-31-90

General Considerations:

- ☒ Name same as permit
☒ Signature the same as permit holder
☒ Address change no If yes, prepare a data entry
☒ Proof received timely no
☐ Reinstated

Source of Water:

- ☐ Surface water
☒ Groundwater 1971
☐ 1. well log in file
☒ 2. drilling permit
☒ A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

- ☒ Rate of diversion appropriate for uses
☒ Is rate or volume and fee appropriate?
☒ Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

- ☒ Is a measuring device or access port required?
☒ Has one been installed?
☒ Waiver or modification of measuring device requested

Remarks:

Change acceptable

Priority Calculation:

Date proof received	<u>NA</u>	
Date proof due		-
No. of days late		=
Priority date		+
NEW PRIORITY DATE		=

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

138393

March 31, 1990

RICHARD D. HENINGER
RT. 2 BOX 147A
ST. ANTHONY, ID 83445

PROOF DUE NOTICE

RE: PERMIT NO. 21-07402

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before June 1, 1990.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

JUN 18 1990

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
May 23, 1989

RICHARD D. HENINGER
RT. 2 BOX 147A
ST. ANTHONY, ID 83445

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 21-07402

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of

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AUG 02 1989

~~~~~

Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor  
Water Right Permits Section

GS: SC  
Enclosures

WILSON 11-10

AUG 02 1989

1st. for starting 1/8 2-6-89

Submitted for adv. HCS 2-27-89

Form No. 202a  
1987

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

217402

INITIAL REVIEW BY C. Mullins DATE 02/24/89 APPLICATION NUMBER 217402

Hemingway

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No\* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field check by \_\_\_\_\_
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

\*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

**RECEIVED**  
APR 02 1989

Date Requested APR 02 1989

Department of Water Resources

PROCESSING

- ☒ Yes ☒ No In ~~the~~ m for advertising  
☐ Yes ☒ No State wide advertising  
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO

- ☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM  
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service  
☐ Idaho Dept. of Lands ☐ Water District  
☐ Adjudication Bureau Unit ☐ Other \_\_\_\_\_

FINAL REGIONAL PROCESSING REVIEW

- ☒ Yes ☐ No Affidavit of publication received  
☒ Yes ☐ No Application published correctly. If not, record action taken.

- ☒ Yes ☐ No Publication dates & paper, recorded on application

- ☐ Yes ☒ No Protests received

Final date for protest 4-3-89

- ☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application

- ☐ Yes ☒ No Recommendations attached

- ☐ Yes ☒ No Measuring device required

- ☐ Yes ☒ No Access port required

- ☒ Yes ☐ No Will water be delivered by watermaster? If yes, what Dist. 01-P05

- ☐ Yes ☐ No Special conditions of approval or cover letter below. \_\_\_\_\_

☐ See below for additional information

Date of priority recommended 2-14-89

By HWS

Date 4-5-89

STATE OFFICE REVIEW

P05, P23 PKO 46 41

☐ See below for additional information

By kw

Date 5/15/89

ADDITIONAL INFORMATION

App. in TRUST area -

March 15, 1989

Richard D. Heninger  
Rt. 2, Box 147A  
St. Anthony, ID 83445

Application for Permit No. 21-7402

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. The application has been assigned the above identification No. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Herald Chronicle. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES  
Water Rights Supervisor

HWJ/rb

**MICROFILMED**

AUG 02 1989

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region  
150 Shoup Ave., Suite 15

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Idaho Falls, Idaho 83402  
(208) 525-7161

MARCH 8, 1989

HERALD CHRONICLE  
P.O. BOX 10  
REXBURG, ID 83440

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 3, 1989.

Yours truly,

Rita Bodell  
Secretary

Encl.

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NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed appropriate the public waters of the State of Idaho:

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21-07402

HENINGER, RICHARD D.  
RT. 2, BOX 147A  
ST. ANTHONY, ID 83445

Source: GROUNDWATER

Diversion Pt: NWNESE Sec 18 T 07N R 40E

Use: IRRIGATION ( .030 CFS)  
DOMESTIC ( .040 CFS)

Date Filed: 2/14/1989

In: T07N R40E S18 NESE

1.0 ACRES TOTAL

**RECORDED**

AUG 02 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before APRIL 3, 1989.

R. Keith Higginson, Director

Published 3/16/1989 & 3/23/1989

**RECEIVED**

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